

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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MARGARITA CABRAL, et al..

Case No. 2:17-cv-02841-APG-VCF

Plaintiffs,

v.

**CAESARS ENTERTAINMENT
CORPORATION, et al.,**

ORDER GRANTING STIPULATIONS

(ECF No. 20)

Defendants.

MARY PHELPS, et al.,

Case No. 2:17-cv-02848-APG-CWH

Plaintiffs,

V.

MGM RESORTS INTERNATIONAL, et al.,

Defendants.

(ECF Nos. 20, 22, 23)

MARIA MARTINEZ, et al..

Plaintiffs.

v.

LAS VEGAS SANDS CORP., et al..

Defendants.

Case No. 2:17-cv-02859-APG-NJK

(ECF Nos. 24, 25, 26)

STEVEN SCHNITZER et al.

Plaintiffs

V

**WYNN RESORTS, LTD. and WYNN
LAS VEGAS, LLC**

Defendants

Case No. 2:17-cv-02868-APG-GWF

(ECF Nos. 20, 22, 23)

1 KERRI SHAPIRO,

2 Plaintiff,

3 v.
4 TREASURE ISLAND, LLC and RUFFING
ACQUISITION, LLC,

5 Defendants.

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7 Case No. 2:17-cv-02930-APG-CWH

8 These cases allege the defendants charged their guests resort fees that included internet
9 access in a manner that violates the Internet Tax Freedom Act. Several such cases have been
10 filed in this District. Some of those cases are pending before me, and some have been assigned to
other judges in the District.

11 The parties to many of these cases have reached an agreement to stay all deadlines and to
12 consolidate the cases already assigned to me solely for the purpose of ruling on an anticipated
13 motion to dismiss for lack of subject matter jurisdiction, to be filed in the *Cabral* case. The
14 parties have agreed to take certain actions in the cases not pending before me based on my ruling
15 on the subject matter jurisdiction issue.

16 I grant the stipulations in the cases before me. However, I caution the parties that their
17 agreement may not achieve the results they anticipate. I am not the assigned judge in the other
18 cases, so my ruling granting these stipulations has no impact on the deadlines in any cases not
19 assigned to me.

20 Additionally, I cannot bind other district judges and the parties cannot agree to confer
21 subject matter jurisdiction on a federal court. *See Hill v. Blind Indus. & Servs. of Maryland*, 179
22 F.3d 754, 757 (9th Cir.), *opinion amended on denial of reh'g*, 201 F.3d 1186 (9th Cir. 1999)
23 (stating “the parties cannot, by their consent, confer jurisdiction upon a federal court in excess of
24 that provided by Article III of the United States Constitution”). Thus, if I ultimately conclude
25 there is jurisdiction in my cases, that does not necessarily mean the other judges will agree. Each
26 judge has an independent obligation to ensure subject matter jurisdiction exists in the cases
27 pending before that judge. *See Arbaugh v. Y&H Corp.*, 546 U.S. 500, 514 (2006) (stating federal
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courts “have an independent obligation to determine whether subject-matter jurisdiction exists, even in the absence of a challenge from any party”).

IT IS THEREFORE ORDERED that the following stipulations are GRANTED:

- *Cabral v. Caesars Entm't Corp.*, Case No. 2:17-cv-02841-APG-VCF, ECF No. 20;
 - *Phelps v. MGM Resorts Int'l*, 2:17-cv-02848-APG-CWH, ECF Nos. 20, 22, 23;
 - *Martinez v. Las Vegas Sands Corp.*, 2:17-cv-02859-APG-NJK, ECF Nos. 24, 25, 26; and
 - *Schnitzer v. Wynn Resorts, Ltd.*, 2:17-cv-02868-APG-GWF, ECF Nos. 20, 22, 23.

DATED this 22nd day of February, 2018.

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE